

FACTUAL SUMMARY  
U. S. v. Lawrence W. Shipley III  
H-08-576

The evidence would show the following facts beyond a reasonable doubt:

Lawrence W. Shipley, III ( hereafter, "Mr. Shipley") is the President of Shipley Do-Nuts, and has held that position since approximately March 2005.

As President of Shipley Do-Nuts, Mr. Shipley oversees, manages and supervises the various operations of the company, including, but not limited to, personnel decisions.

On approximately August 2, 2005, Mr. Shipley wrote and signed a letter to the Immigration and Naturalization Service, which stated in pertinent part:

"This is to verify that MR. JOSE M. FERNANDEZ, has worked for this company since January 1994 to this date with a position of Maintenance Manager . . ."

Mr. Shipley knew on August 2, 2005, that Jose M. Fernandez was an employee of Shipley Do-Nuts, and that Jose M. Fernandez was also an unauthorized alien in the United States with respect to such employment, and continued to employ Jose M. Fernandez at Shipley Do-Nuts.

On approximately May 12, 2006, Mr. Shipley wrote and signed a letter to the Immigration and Naturalization Office, which stated in pertinent part:

"This is to verify that MR. JOSE ARTURO CRUZ works for this company and lives in a house owned by Shipley Do-Nuts . . ."

Mr. Shipley knew on May 12, 2006, that Jose Arturo Cruz was an employee of Shipley Do-Nuts, and that Jose Arturo Cruz was also an unauthorized alien in the United States with respect to such employment, and continued to employ Jose Arturo Cruz at Shipley Do-Nuts,

all in violation of Title 8, United States Code, §1324a.(a)(2).